

CIVIL DOCKET  
UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
DR. JAMES EMORY SEASHOLTZ  VS  OKLAHOMA DEPARTMENT OF PUBLIC WELFARE		For plaintiff: Pro Se 1124 East Grand St. Springfield, Missouri 65804 417 869-9738   Intervenor: Hutchins & Deatherage 4021 South Harvard Tulsa 74135 749-4411   For defendant: Raymond J. Totoro Sequoyah Memorial Office Bldg. P. O. Box 25352 Okla. City, Okla. 73125					
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed 10-1-72	Clerk	9-19-72	Seasholtz	15 00			
		9-21-72	C.D.No.13		15 00		
J.S. 6 mailed 3-1-76	Marshal						
Basis of Action: Petition for order of mandamus	Docket fee						
	Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-19-72	Application and petition for order of mandamus accompanied by brief, filed. Summons issued. hm (and Book No. VIII - in vault)	
9-25-72	Return on service of summons, filed. Served Lloyd Rader, Director Dept. of Public Welfare, in Oklahoma City, Okla on 9-22-72. (\$4.72) ds	
9-27-72	Addition and Amendment of original pleadings by pltf., filed. rm	
10-12-72	Defendant's motion to dismiss, failure to join an indispensable party, vagueness and indefiniteness, filed. Brief attached. ds	
10-12-72	Ordered by the Court that plaintiff respond to defendant's motion to dismiss with a responsive brief within ten days of this date. (AEB-J) ds	
11-29-72	Motion to intervene of Healthco, Inc., filed. hm (with brief in support)	
11-29-72	Certificate of mailing, filed. hm	
11-29-72	Ordered that Pltf & Deft. file responsive briefs to the motion to intervene of Healthco, Inc., within 10 days. (AEB-J)hm	
12-11-72	Objection and answer to motion to intervene filed by pltf., w/cross-complaint against Healthco, filed. rm	
12-11-72	Ordered that intervenor is granted 10 days in which to respond to pltf.'s obj. and answer to motion to intervene. (AEB-J)rm - ltr written	
12-13-72	Forma Pauperis Affidavit (James E. Seasholtz) filed. js <i>ref to MC</i>	
12-21-72	Motion of Healthco, Inc. for enlargement of time to answer, and brief in support, filed. ds	
1-3-73	Order, granting intervenor to 1/12/73 to file brief and response to brief of pltf. and def. USA. (AEB-J)rm - copies mailed	
1-15-73	Brief in reply to Pltf's Obj. to Intervention, filed. r	
1-16-73	Ordered that Magistrate conduct hearing on applic. & petition for order of mandamus; objection of Dr. Seasholtz to motion to intervene; deft's motion to dismiss, failure to join an indispensable party, etc. & motion to intervene of Healthco, Inc. (AEB-J)hm	
1-16-73	Hearing held on above motions. It is recommended that applic. & petition for order of mandamus be denied; that objection to motion to intervene be overruled; that deft's motion to dismiss, etc. be sustained & that motion to intervene of Healthco be sustained. Deft. to prepare F&R within 5 days. (MLB-Mag)hm	
1-18-73	Findings and recommendations of Magistrate, filed. (MLB-Mag)hm (copies mailed)	
1-18-73	Notice of motion to dismiss, filed. hm	
1-18-73	Motion to dismiss of intervenor Healthco, filed. hm <i>filed on direction of J</i>	
1-18-73	Brief of Healthco in support of motion to dismiss cross-complaint of deft., filed. hm	
1-22-73	Findings and recommendations of Magistrate, filed. (MLB-Mag)hm (copies mailed)	
1-30-73	Order, filed, that motion to consolidate this case, 72-C-345 into 72-C-169 is allowed; that complaint in this case is dismissed with pltf. being given 20 days to file an amended claim; that application to intervene of Healthco on behalf of creditors is allowed and that motions to dismiss of Healthco, etc. be considered at a later time. (AEB-J)hm (copies mailed)	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. <u>72-C-344</u> , etc.
Dr. James Emory Seasholtz	Oklahoma Depart. of Public Welfare	PAGE <u>3</u> OF <u>2</u> PAGES

DATE	NR.	PROCEEDINGS
2-27-76		Order filed, <u>Ordered</u> that the "Exceptions" & Mot. filed by the Intervenor be and the same is hereby overruled. <u>Ordered</u> that the F/R of the Special Master be & the same are hereby affirmed and adopted by this Court. <u>Ordered</u> that attys' fees be allowed as follows: Stipe, Gossett, Stipe & Harper from the recovery of James Emory Seasholtz \$750.00, Lawrence A. McSoud from the recovery of James Emory Seasholtz \$4,000.00, W. L. Steger from the recovery of James Emory Seasholtz \$4,000.00, W. L. Steger and Lawrence A. McSoud from the recovery of Harold W. Brooks. \$5,408.00, J. R. Hall, Jr. and Joseph Mountford from the recovery of Ira John Seasholtz \$10,201.37. (AEB-J)t cps. mld.
2-27		Judgment filed and entered; that Judg. is hereby entered against the U.S.A. for D.H.E. & W in the amount of \$73,675.24 & judg. is entered against the State of Oklahoma, Dept. of Public Welfare, in the amt. of \$47,739.70 which amount totals \$121,414.94 and which judgment is in favor of the following recipients for the following amounts: James Emory Seasholtz \$78,398.76, Ira John Seasholtz \$20,402.74, Harold W. Brooks \$22,613.44 for a total of \$121,414.94. <u>Ordered</u> that judg. is hereby entered against the State of Okla. Dept. of Public Welfare, in the amt of \$10,827.70, which judg. is in favor of Healthco, Inc., d/b/a Murray Myers Co. & Murray Myers X-Ray Co. <u>Ordered</u> that Ira John Seasholtz & Harold W. Brooks are hereby made parties to this action to enable them to participate in the entry, payment and satisfaction of this judgment. <u>Ordered</u> that judg. in favor of Ira John Seasholtz in the amt. of \$20,402.74 may be satisfied by the U.S.A. & the State of Okla. by the payment of such amount to Ira John Seasholtz by delivering said payment to his attorneys, J.R.Hall, Jr. & Joe Mountford. <u>Ordered</u> that the judg. in favor of Harold W. Brooks in amt. of \$22,613.44 may be satisfied by the U. S. A. & the State of Okla. by the payment of said amount, less a sum of \$6,087.96, deducted because of an Internal Revenue Service tax levy, or a net amount of \$16,525.48 by delivering said net amount to the attys for Harold W. Brooks, Lawrence A. McSoud & W. L. Steger. <u>Ordered</u> that judg. in favor of Healthco, Inc. d/b/a Murray Myers Company & Murray Myers X-Ray Co. in amt of \$10,827.70 may be satisfied by the State of Okla. Okla. Dept. of Public of Welfare, by payment of said amt. of Healthco, Inc., d/b/a Murray Myers X-Ray Co. by delivering said payment to its attorney, Ross Hutchins. <u>Ordered</u> that judg. in favor of James Emory Seasholtz in the amt of \$78,398.76 may be satisfied by the U. S. A. & the State of Okla. by the payment of such amt. of James Emory Seasholtz by delivering said payment to his attorneys, Lawrence A. McSoud, W. L. Steger and Gene Stipe. <u>Ordered</u> that all claims and causes of action asserted in these actions, except those reduced to judg. herein, are hereby dismissed with prejudice. (AEB-J)t cps. mld.
3-2		Release and satisfaction of judg. by intervenors, Healthco, of judg. in amt. of \$10,827.70, from State. of Okla., Okla. Dept. of Public Welfare, filed. rm
3-3		Receipt, release and satisfaction of judg. by W. L. Steger and Lawrence McSoud re judg. against State of Okla. & USA in favor of Harold W. Brooks, filed. rm

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
3-3-76		Receipt, release and satisfaction of judg. by James E. Seasholtz re judg. in favor of him and against State of Okla. and USA, filed. rm	
3-3		Receipt, release and satisfaction of judg. by J. R. Hall, Jr. re judg. in favor of Ira John Seasholtz and against State of Okla. and USA, filed. rm	
3-18		Release, receipt and satisfaction of judg. by Dr. James Emory Seasholtz, filed. rm	